

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Civil Minutes

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Date: May 21, 2018

Judge: Hon. James Donato

Time: 1 hour & 4 minutes

Case No. **C-15-03747-JD**

Case Name **In re Facebook Biometric Information Privacy Litigation**

Attorney(s) for Plaintiff(s): Shawn Williams/Patrick Coughlin/John George/Corban Rhodes

Attorney(s) for Defendant(s): Vincent Connelly/Nikki Stitt Sokol/Archis Parasharami  
Lauren Goldman

Deputy Clerk: Lisa R. Clark

Court Reporter: Debra Pas

PROCEEDINGS

Motion re Class Notice - Held

NOTES AND ORDERS

Class notice will be provided by the class administrator through email and by Facebook through “jewel” notifications and Newsfeed inserts. Facebook will identify the list of notice recipients by **May 25, 2018** and will notify the Court by **May 23, 2018** if it has issues meeting that deadline. Notice recipients will include all users present in Illinois for 60 continuous days or longer. If the parties cannot agree on the allocation of the costs of notice, the Court will resolve the issue in a separate proceeding.

The parties will jointly submit final versions of the long-form and short-form notices by **3:00 pm, California time, on May 22, 2018**. The proposed notices will incorporate the changes ordered by the Court at the hearing. The parties should plan to publish the notices no later than **May 30, 2018**, and before then if at all possible.

For the representations by Facebook’s counsel that jewel notifications require two weeks to post and Newsfeed posts require one week to post, Facebook is directed to file by **5:00 pm, California time, on May 23, 2018**, a declaration by a Facebook engineer or other responsible individual that gives specific evidentiary support for those timeframes. The declaration should also state whether jewel notifications and Newsfeed posts can be done faster, and if so, how. This deadline extends the time discussed at the hearing to ensure that the declaration is accurate and complete.

The Court may convene an evidentiary hearing in short order if the declaration is not adequate. All counsel and parties are reminded that misrepresentations to the Court may result in sanctions, including monetary, evidentiary, and attorney discipline sanctions.

At Facebook's request, the deadline to file for pretrial materials is extended to **June 7, 2018**. This extends the time discussed at the hearing to ensure that the pretrial filings are focused on the disputes that the parties cannot resolve in good faith. The pretrial conference is continued to **June 21, 2018 at 1:30 pm**.